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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

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STATE OF CALIFORNIA and GAVIN
 NEWSOME, in his official capacity as
 Governor of California,

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Plaintiffs,

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v.

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DONALD J. TRUMP, in his official capacity
 as President of the United States, et al.,

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Defendants.

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Case No. 3:25-cv-03372-JSC

**UNOPPOSED ADMINISTRATIVE
 MOTION SEEKING TO FILE AN
 AMICUS CURIAE BRIEF IN
 SUPPORT OF PLAINTIFFS' MOTION
 FOR PRELIMINARY INJUNCTION;
 PROPOSED BRIEF ATTACHED TO
 THIS MOTION**

Date: June 26, 2025

Time: 10:00 a.m.

Ctrm: Courtroom 8, 19th Floor

Judge: Hon. Jacqueline Scott Corley

1 Pursuant to Local Rule 7-11, George F. Allen, Steven G. Calabresi, Joshua A. Claybourn,
 2 John C. Danforth, Richard A. Epstein, Charles T. Hagel, Harold Hongju Koh, Gerard N.
 3 Magliocca, Michael W. McConnell, Michael B. Mukasey, Alan O. Sykes, Judge John Daniel
 4 Tinder, Peter J. Wallison, and Philip Zelikow (together, “proposed amici”) respectfully move,
 5 through undersigned counsel, for leave to file a brief as amici curiae in support of plaintiffs’
 6 motion for preliminary injunction. The proposed brief is attached as Exhibit 1, and a proposed
 7 order is also attached. In support of this motion, amici further state:

8 1. This Court has discretion in determining whether a third party may participate in a
 9 case as amicus curiae. *See, e.g., NGV Gaming Ltd. v. Upstream Point Molate, LLC*, 355 F. Supp.
 10 2d 1061, 1067 (N.D. Cal. 2005). “District courts frequently welcome amicus briefs from non-
 11 parties concerning legal issues that have potential ramifications beyond the parties directly
 12 involved. *Id.*; *see also Yurok Tribe v. U.S. Bureau of Reclamation*, 654 F. Supp. 3d 941, 957 n. 6
 13 (N.D. Cal. 2023). Amici can provide precisely that kind of information and perspective.

14 2. Amici are constitutional scholars, legal historians, public lawyers, retired federal
 15 appellate judges, a former United States Attorney General, and three former United States
 16 Senators united by a common conviction: the endurance of the American Republic depends not
 17 only on elections or policy outcomes, but on the faithful preservation of its constitutional
 18 structure. They span the ideological spectrum, joined not by partisanship but by a common
 19 concern over the erosion of Congress’s Article I authority. Amici do not appear to defend or
 20 oppose any particular trade policy. They file this brief because they believe the Constitution
 21 draws bright lines between legislative and executive power—and that those lines are being
 22 blurred in ways that threaten democratic accountability itself.

23 3. On May 19, 2025, counsel for amici conferred with counsel for the parties and
 24 both parties have consented to the filing of this brief.

CONCLUSION

25 For all the foregoing reasons, amici respectfully request that the Court grant their motion
 26 for leave to file an amicus curiae brief.
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1 Dated: May 19, 2025

CROWELL & MORING LLP

3 By: /s/ Warrington S. Parker III

4 Warrington S. Parker III
Joanna Rosen Forster
5 Attorneys for *AMICI CURIAE*

6 Dated: May 19, 2025

MICHAEL W. MCCONNELL

8 By: /s/ Michael W. McConnell

9 Michael W. McConnell
10 Attorney for *AMICI CURIAE*

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